

MINUTES OF THE
HIGHER EDUCATION APPROPRIATIONS SUBCOMMITTEE
THURSDAY, FEBRUARY 5, 2004, 2:00 P.M.
Room 223, State Capitol Building

Members Present: Sen. David Gladwell, Co-Chair
Rep. Bradley T. Johnson, Co-Chair
Sen. Peter Knudson
Rep. Katherine M. Bryson
Rep. Brad Dee
Rep. Kory M. Holdaway
Rep. Patricia W. Jones
Rep. Susan Lawrence
Rep. LaWanna "Lou" Shurtliff
Rep. Stephen H. Urquhart

Members Excused: Sen. Ron Allen
Rep. Margaret Dayton

Members Absent: Sen. Bill Hickman
Rep. Gregory H. Hughes

Staff Present: Boyd A. Garriott, Senior Legislative Fiscal Analyst
Debra Headden, Legislative Fiscal Analyst
Rolayne Day, Secretary

Public Speakers Present: James Johnson, UU Student
Joe Pete Wilson, UU
Robert Payne, Counsel UU
Gordon Crabtree, CFO, U Hospitals & Clinics
Rep. Ben Ferry
Dr. Paul Rasmussen, Assoc. VP for Research & Dir. Ag. Experiment Station
Dan Danseseaux, USU Database Programmer
Jack Payne, VP for Extension & Continuing Ed.
Pres. William Sederburg, UVSC
Dr. Wayne Pay, Dir. Eccles Health Sciences Library UU
Randy Olsen, UALC Chair & Dir. Harold B. Lee Library, BYU
Pres. A. Lorris Betz, UU
Pres. Michael Benson, Snow College
Rep. Ron Bigelow
Peter van der Have, Dir. of Plant Operations, UU

A list of visitors and a copy of handouts are filed with the committee minutes.

Committee Co-Chair Gladwell called the meeting to order at 2:04 p.m.

1. Americans with Disabilities (ADA)—University of Utah Student James Johnson discussed how ADA has helped people enter society and be productive. Institutions provide exam accommodations, readers, note takers, interpreting services for the deaf, textbook services, and other adaptive technology as needed. If services cannot be offered, it can be difficult for students and in some cases shuts the door to an education. Joe Pete Wilson, UU Disability Resource Center Director, said the mission is turning out people who are educated, professionally

certified, and able to work. Institutions are following federally-mandated but unfunded laws at their own expense. Budgets that haven't been increased in several years are being taxed with more and more mandates. The Board of Regents is asking for \$500,000 for ADA funding. Analyst Boyd Garriott said the analysts recommend \$100,000 for ADA if funds become available.

2. Miners' Hospital—Mr. Garriott said the Miners' Hospital was founded at the time of statehood under the School and Institutional Trust Lands Grant. A civil suite was brought against the State by disabled miners claiming the Miners' Hospital was not dealing with the problems that miners encounter. The settlement requires \$800,000 to be paid over five years. The Legislative Management Committee approved an appropriation of \$300,000 for attorney's fees. In addition, the University of Utah must pay \$100,000 from the Trust with the remaining paid in annual payments of \$100,000 from the Trust through FY 2008. The settlement also requires the following: (1) The University of Utah's Rehabilitation Center will become the State Miners' Hospital; (2) The University will facilitate community outreach programs; (3) The University will provide a case manager for disabled miners; (4) The University will provide seminars; (5) The University will establish a clinic in Orem to serve disabled miners; (6) The University will establish two annual scholarships for ten years to the children or grandchildren of disabled miners.

The cost of these requirements can be covered in the existing budget if the Legislature commits to pay its part. The analysts recommend that \$475,000 be appropriated from the Land Grant Trust Fund to open the Orem clinic. Of that amount, \$55,000 is one-time for equipment and other expenses, and the remaining is on-going money. The clinic will generate about \$100,000 from interest on the principal, so part comes from that and the rest will diminish the principal. The analysts also recommend intent language as follows:

It is the intent of the Legislature that the Miners' Hospital pays \$100,000 for the disabled miners' settlement from the Land Grant Trust Fund until 2008. It is further the intent of the Legislature that the Miners' Hospital prepare an annual report documenting the service provided to disabled miners and an accounting of the Land Grant Management Funds.

Robert Payne, Counsel for the University of Utah, said the settlement requires the University of Utah to be the Miners' Hospital. Gordon Crabtree, CFO, UU Hospitals and Clinics, said there is now outreach via the UU for the approximately 7,000 miners throughout the State.

3. Climate Control Center (House Bill 192)—Mr. Garriott said the analysts recommend ongoing State funding of \$120,000 for USU's Climate Control Center, if additional funds become available. Rep. Ben Ferry spoke in support of the Climate Control Center. Many entities rely on information that the Center provides. Dr. Paul Rasmussen, USU Vice President for Research & Director of the Agricultural Experiment Station, said the federal government will give them homeland security money, agriculture money, and more if they develop the Center further.

Dan Danseseaux, USU Database Programmer, gave a presentation on the Climate Control Center database. The Center captures data from around the world at 40 megabits per second, information that equals the capacity of 720 CDs per day. Data is available from nearly real time to the historical archives. Mr. Danseseaux discussed database applications for agriculture, the environment, commercial and public enterprises, and education and research. As natural resources diminish and the population grows, the need for better use and management of resources will take on a sense of urgency. Climate affects us in many ways and the database can help people make better decisions. Dr. Rasmussen said if the State funds the Center adequately, that funding can be used to leverage federal grants.

MOTION: Rep. Dee moved to approve minutes of the February 2, 2004, meeting.

The motion passed unanimously with Reps. Bryson, Holdaway, and Lawrence absent for the vote.

4. Cooperative Extension and Agricultural Experiment Station—Dr. Jack Payne, Vice President for Extension and Continuing Education, said Extension is the premier provider for non-credit education in Utah. Budget cuts hurt, but challenges were met by completely reorganizing the structure of Extension including leaving faculty positions on campus open to fill those open in the field. In many cases, counties maintained or increased Extension budgets to keep it strong throughout the State. Extension has increased the use of technology, and has over 50 satellite programs annually. A key issue is a lawsuit where an anti-grazing organization is suing the BLM to prevent renewal of grazing leases. Extension is working with the ranchers and the BLM to collect data and to monitor range use. They created a range management school and have just completed the first session with over 60 ranchers in attendance; five more are scheduled this year. Another issue is that Utah leads the country in bankruptcies. Extension is educating families how to stay out of bankruptcy and, if they find themselves in that situation, how to handle it. They offer the program in both Spanish and English. Dr. Payne expressed his support for the Climate Center because it is so valuable to extension throughout the state.

Rep. Johnson assumed the committee chair.

Dr. Rasmussen discussed the West Nile and Wasting diseases that are now in Utah. They need to do bio-control research to keep the diseases out of cultivated lands. He also feels Extension has the ability to make an impact and to be a major player in homeland security.

5. Utah Academic Library Consortium—Mr. Garriott said the analysts recommend putting \$650,000 into the Utah Academic Library Consortium (UALC) if additional funds become available. This is something that has worked quite well for several years to build libraries in Utah.

Dr. Randy Olsen, UALC Chair and Director of the Harold B. Lee Library at BYU, said the purpose of UALC is to sponsor cooperative programs among Utah's libraries. The UALC brings together over 22 million volumes in libraries across the state. They are also focused on what can be done with new technology. Pioneer Services (cooperative licensing) are provided to higher education faculty and students as well as K-12 throughout the state. UALC requests \$300,000 for new electronic resources, \$200,000 to help compensate for price increases in scholarly journals, \$50,000 to help UCAT's 54,000 students, and \$100,000 to digitize Utah's history. Dr. Olsen thanked the Legislature for support for UALC.

Discussion and questions were heard from Reps. Johnson and Holdaway, Dr. Olsen, and Dr. Wayne Pay, Director of the Eccles Health Sciences Library.

6. Operation and Maintenance of New Facilities (O&M)—Mr. Garriott said another committee decides what buildings will be built, and then institutions come to the Higher Education Subcommittee to ask for the O&M. The Regents have requested about \$2.5 million for FY 2005. There are still some unfunded projects from FY 2004, so the analysts recommend \$1,892,400 in O&M funding to cover those shortfalls. Because of the current economic situation, the analysts cannot recommend O&M funding for new buildings. However, if additional funds become available for FY 2005, the analysts recommend that \$552,000.

Discussion and questions were heard from Reps. Holdaway, Johnson, and Shurtliff, Mr. Garriott, and Pres. Michael Benson, Snow College. Mr. Garriott said it isn't that the buildings aren't needed, but there is no money for heating and lights unless the Higher Education Subcommittee pays for it. There needs to be better coordination between the Capital Facilities and the Higher Education Subcommittees so preparation can be made for O&M. Mr. Garriott said they are working at a flat budget, so the O&M is partially covered. If additional funds become available, \$1.9 million is needed for the remaining unfunded component for O&M.

Sen. Knudson said there is a disconnect on new facilities where O&M is not part of the dialogue. They get excited about the building, but forget that O&M must be funded. Mr. Garriott said the co-chairs set up a meeting with Capital Facilities, but that has been canceled because of a scheduling conflict. Rep. Dee said O&M costs can be projected and need to be built into the costs. Pres. Lorris Betz, UU, said there is a discussion

on the merits of the building and the estimates of O&M as they go before the Board of Regents to request buildings. The disconnect is among the agencies that are responsible for funding the pieces. Peter van der Have, UU Director of Operations, said O&M cost estimates are submitted to the Capital Facilities Subcommittee.

Discussion and questions were heard from Pres. William Sederburg, UVSC, and Reps. Urquhart, Johnson, and Bryson. Pres. Sederburg said the problem is that the Capital Facilities Committee is responsible for one-time funding and higher education is responsible for on-going funding. He doesn't feel that both decisions should reside with one committee because it gives them too much power.

MOTION: Rep. Jones moved to adjourn.

Committee Co-Chair Johnson adjourned the meeting at 3:53 p.m.

Minutes were reported by Rolayne Day, Secretary.

Sen. David Gladwell, Committee Co-Chair

Rep. Bradley T. Johnson, Committee Co-Chair